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TO: The Honorable Gavin Newsom, Mayor

FR: Rudy Nothenberg

RE: Building Inspection Commission and Department

You have asked me to take a look at the Building Inspection Commission and at the current operations of the Department that it governs. The purpose of that request was to provide you with information that might, if acted upon, lead to positive changes in the operations of this critically important public safety agency and thus further enhance the public's confidence in it.

What follows is the result of several months of interviewing a wide variety of persons both inside and outside of the Department. I have looked at information from Building Departments in other jurisdictions. I have also had the able assistance of Mr. Steve Nelson, a long time trusted colleague of mine in both the Mayor's office and as Chief Administrative Officer. Mr. Nelson was extremely helpful to me especially with regard to MIS issues within the Department. MIS issues will be addressed in a separate report to you.

Such recommendations as I make, are directed only to areas in which you have direct responsibility and control. Much of the discourse however covers items that are under the control of either the independent Building Inspection Commission or under the operational control of the management of the Department of Building Inspection. It is hoped that, should they find anything in this report that might be useful in the discharge of their responsibilities, they would act to implement it.

I want to emphasize that everything expressed below is opinion. Opinions that are based on interviews conducted and on a very long familiarity with City Hall and its bureaucracy, but nonetheless opinions only. I take full responsibility for them.

### **BACKGROUND**

I believe that the preponderance of line employees of the Department are knowledgeable professionals who are prepared to provide a superior level of services to the public. To perform at a level that would make them proud to be

identified with the Department, and for the City in turn to be proud of the Department, the staff needs firm, fair and consistent management. They need a management that, with and through the Commission, provides clear policy guidelines on technical issues as well as on what is appropriate and inappropriate conduct, and a management consistently willing to enforce such guidelines. Employees need an environment that is free of the widely held belief (held also outside of the Department) that promotions and work assignments are dictated as much as by whom one knows (or does not know) as by one's skills. Staff needs to be free of demands made directly on them from outside the organization, which even if appropriate, would in other environments be made through the chain of command. To perform as well as they would wish, employees need to be supported by an information management system that is useful and user friendly to them as well as to the public. Finally, for the organization to excel, management must dispel the pervasive aura of defensiveness that to this observer characterizes the leadership of the organization and instead create an atmosphere that is open and collegial, an atmosphere that encourages internal discourse, and that rewards initiative.

## **THE COMMISSION**

The Building Inspection Commission is central to all attempts to improve the performance and ingrained habits of the Department. They must lead by example, providing models of rectitude for the Departmental staff, demonstrating respect for each other, respect for the public and respect of the professionals who report to them.

The Charter dictates that Building Inspection Commission appointees be members of various specific occupations. Included are a licensed structural engineer, a licensed architect and two "residential landlords" among others. Only one of the seven appointees is defined to represent the general public. These professional designations, particularly the first two mentioned, would appear to constitute an inherent conflict of interest in that, to the extent these individuals practice in San Francisco, they are inevitably clients of the agency that they are charged with governing. Plan checkers will inevitably judge the work of – and likely have to interact face-to-face as regulators, with their Commissioners who are acting in their own professional capacities. Field inspectors will inevitably have to inspect and judge the results of the work of Commissioners who have power over them, Commissioners who moreover will necessarily be on-site with the inspector at the time of inspection. Even given Commissioners who have the best possible intentions (and nothing herein is intended to imply that the incumbents do not), permitting and inspection staff so involved are nevertheless put into very difficult positions, and at least the appearance of conflict is inevitable.

Apart from the inherent appearance of conflict of interest and the dilemmas for staff described above, it is far from clear that Commissioners who are required to

represent particular interests within the construction and housing industries are necessarily the best policy makers for an agency responsible for the safety of the entire population. It can be argued that their specific technical knowledge is necessary for the proper functioning of the Commission. Specific technical knowledge is however generally not required for other Commissions and can where necessary, be sought by policy makers from advisory groups - to say nothing of seeking such advice from their staff, the leadership of which they have appointed. It is also the case that there are already Code Advisory Groups established by the Commission to assist in code formulation and interpretation who are waiting and eager to be called upon.

The Commission does not have a Code of Ethics/Code of Conduct, which is specific to them – as distinguished from any Code of Ethics that might apply to Departmental staff. Short of entirely precluding Commissioners from having business before Departmental staff, it should be possible to devise some self-enforcing Code of Ethics/Conduct language, which would at least mitigate the inherent conflict. A “recusal” requirement would not in this case be workable since the inter-actions between Commissioner and staff members are, in both the permitting and inspection areas, necessarily iterative. A Commission specific Ethics/Conduct Code could deal with other matters that have caused contention as well – such as prohibitions or disclosures of ex-parte contacts with applicants or applicants’ agents. It should also address the extent to which the Commission involves itself in the operations of the Department and of its line staff.

The line between a Commission’s role as policy makers and evaluators of the performance of the Departmental manager whom they appoint, and of becoming unduly involved in day-to-day operations of the agency they are charged with governing is a difficult line to establish and maintain. It is however essential for the proper functioning of a Department that this line be clearly drawn and rigorously observed. The writer has served both as President of a Commission and as a General Manager reporting to a Commission. I have experienced both a Commissioner’s temptation to be actively involved in the day-to-day operations of a Department and also of the damage that such involvement on a frequent basis can do to the ability of managers to properly perform their roles. This is especially troublesome if the “interference” routinely involves Commissioners engaging in direct contacts with line personnel of a Department, going outside of the chain of command when doing so. I am led to believe that such contacts by BIC Commissioners are – for various reasons – not unusual and that involvement in day-to-day operations of the Department by Commissioners is frequent.

There is a belief, held by many (not however all) current and former Departmental employees, that appointments to jobs within the Department, particularly the non-civil service appointments (of which there are many due to the absence of lists) are deeply influenced by individual Commissioners or even by persons outside of the Department entirely. The same is said to be true of such matters as internal promotions and work assignments. To the extent that

members of the Commission do involve themselves at that level or allows their appointee manager to be subject to such pressures, it undermines the manager's ability to run the Department. If the Commission does not have sufficient confidence in its Departmental Manager to allow him/her to manage it, then there are remedies other than taking over that task for themselves or allowing other to do so.

Should the Commission be interested in developing a Code of Conduct that deals with some of these issues, the Redevelopment Agency has such a Code in force, portions of which might be applicable here.

The Building Inspection Commission is one of the very few of San Francisco's numerous Commissions that by Charter excludes the Mayor from playing any role in the selection of the Director of the Department. In the preponderance of Commission-directed Departments, the Charter gives the Mayor the power to "appoint and to seek the removal" of the Director or General Manager with the participation of the particular Commission. Typically a Commission forwards a list of nominees (usually three) to the Mayor who is expected to select from among them or to request that additional names be provided by the Commission. Such a participatory process provides an important role for the various non-elected Commissioners while yet assuring accountability of Department Heads to the principal elected official of the City. It would appear that the normal participatory Department Head selection process would be especially desirable in a situation in which six of seven Commissioners represent designated special interests – howsoever benevolent these may be – and only one Commissioner is designated to represent the general public.

## **RECOMMENDATIONS**

### *The Commission:*

- *It is recommended that the Mayor consider sponsoring a Charter Amendment to be voted upon at the earliest available opportunity that would eliminate the specific professional designation for Commission appointment. The amendment could allow incumbents to serve out their terms or provide for new appointments by the Mayor and Board of Supervisors on the effective date of any Charter amendment. This would not preclude either the Mayor or Board from appointing representatives of professional groups – it would however be a matter for their discretion rather than mandatory.*
- *It is recommended that the Mayor request the Commission to adopt a Code of Ethics/Conduct dealing with the matters discussed in the body of this report. The Mayor might consider establishing such a Code of Conduct by Initiative Ordinance should the Commission, in due course fail to do so for itself.*
- *It is recommended that the Mayor seek a Charter Amendment to be voted on at the first available opportunity that would change the method of selecting a*

*Director of the Building Inspection Department to more closely parallel the process of other major service-providing City departments*

## **THE DEPARTMENT**

The leadership of any city agency is ultimately responsible for its successes and failings. This is so irrespective of the support – or lack of support from its Commission, or the extent to which it is subject to political pressure from elective officials or special interests. DBI's leadership has a decidedly mixed record. There have been some successes in the past years, notably a more responsive, aggressive Housing Inspection function, the implementation of a rudimentary on-line tracking system and improvements in the turn-around time of certain permit applications. These successes are more than offset by problems – some of which are discussed in what follows - that have not yet been adequately addressed, although management has, within the last few months, begun to deal with a few of them

The leadership of DBI has not been able to deal decisively with the allegations of favoritism and accusations of ethical lapses. It has not been able to optimize on the human capital made available to it and there are examples of poor stewardship of the financial resources of the Department, particularly in the Management Information Systems area. For a number of reasons the leadership is under constant siege. It is much of the time immobilized by the conflicting political pressure from the Commission, from City Hall or from politically connected outside groups. When forced to act, management has too often responded with peremptory issuance of new "Policy & Procedures Bulletins" which are seen as disposing of a problem rather than being recognized as the start of a process leading to a solution. It would seem that a Department that is subject to so much mistrust would strive for a maximum amount of transparency in all aspects of its operations. Yet, transparency has not been sufficiently valued by management to have established the procedures and management control systems that could clear the air of the allegations, rumors and suspicions that bedevil it.

In order to achieve the public safety benefits that optimization of the human and financial resources of the Department would bring, there need be firm, consistent and persistent leadership. In order for the professionals of the Department to realize their full potential in serving the public, they need a leadership that communicates fully, clearly and respectfully with them. There needs to be leadership exhibiting sufficient self-respect to earn the respect of the professionals they seek to lead, a leadership of sufficient strength to demand adherence to policies – once clearly annunciated – and to impose discipline when that is required. No such leadership will emerge unless the Mayor and Commission make it clear that that is the kind of leadership they want and then give it the room, support, protection and the time necessary to establish itself.



As to the day-to-day operations of the Department, the Commission and staff are not exactly lacking for advice. There have been studies and audits galore. The Controller's audit made a large number of very detailed recommendations, some of which have been implemented, many of which have for various reasons, not been addressed. The Grand Jury has also provided a report. Inevitably some of the issues discussed in these documents are mentioned herein as well. It was not your purpose in asking me to look at the Department that I prepare a cookbook on how DBI should operate. I believe it however appropriate for me to address those issues, which seemed most important to the people I talked with in the course of this project and those issues, which have been the focus of much of the public attention, directed at the operations of the department.

Such recommendations as are made, are made to you and recognize the extremely limited power that the Mayor currently has in the operations of the Department and the conduct of its Commission. The most powerful tool available to you is a negative power; the power of the budget – the ability to reduce the financial resources the Department has earned, and/or to further limit the number of its personnel. This is precisely the wrong tool. The positive power you have is to assure through your budgetary process that the resources to address the fixes needed are available once there is general agreement between your office, the Commission and the Board of Supervisors that resources will be well spent by the management.

Given that it is budget season, this is the one area in which the Mayor's office and the Board of Supervisors have the most immediate role to play in helping to create a Department that the public can trust and of which its employees would be proud. As budgetary decision makers you and the Board need to allow the Department to retain the preponderance of the funds it generates and allow it to re-invest those funds in its own efforts to improve its operations.

In addressing operational issues, I recognize that neither the Commission nor the Department asked for this study – though they have been most cooperative. Even if gratuitous, it is hoped that the Commission and Department will read these notes with some interest. Where the discourse is naïve or wrong headed, they are free to – and should ignore it. Where compelling, it would be well if they moved in the directions suggested by the thoughts expressed.

#### Conflict of Interest/Incompatible Activities/Ethics

The fact that the Department relies on a 1969 Conflict of Interest/Incompatible Activities Code should be intolerable. There have been various efforts over the past 35 years to write and adopt a comprehensive Ethics code – all of which have come to naught (including an unsuccessful attempt during my term as CAO). There is a current effort to write a Code in response to the legal mandate that one be provided to the Ethics Commission. I have not been made privy to the draft (if there is one) and can make no comment as to its adequacy. I am

convinced however that it needs to go beyond a minimalist response to a legal requirement. Past efforts have demonstrated that absent a determined push by the management combined with an honest effort to involve effected employee groups, the effort will come to naught.

The Code should contain strictures against preferential treatment – defined with sufficient clarity so that DBI employees will know with exactitude what constitutes inappropriate preferential treatment, and what does not. The code should list prohibited outside business activity of DBI staff. The code should require the reporting of any ex-parte requests to covered employees, irrespective the source, which would if acted upon have caused that employee to violate the letter or spirit of the code. If some of these provisions are beyond the scope of what the Ethics Commission finds appropriate, than the Commission might consider adopting a Code of Conduct in addition to the document adopted by the Ethics Commission. The Fire Commission has a responsibility in this area as well. Fire Department employees are responsible for enforcing the Fire Code. Fire Department Plan Checkers working at the DBI offices and Fire Inspectors working out of the Fire Department Headquarters should be subject to the same strictures as DBI Plan Checkers and Inspectors enforcing their particular sections of the Building Code.

Any Ethics/Conflicts/Conduct Code is only as good as the enforcement mechanism and the diligence on the part of the Commission and management in enforcing it. An element of enforcement is a management information system that would routinely bring questionable practices to the attention of management. Yet, several of the systems as do exist, in lacking the ability to trace actions to particular individuals, seem to be designed as much to frustrate management control as enhance it.

Enforcement can be unfair or capricious. It is likely that many ethics/conduct issues will be ambiguous, therefore employees should be given an opportunity to seek advise from their peers where they believe that would be helpful. The management might consider creating an in-house committee of three to four line-managers from both Permit and Inspection Services to act as an internal ethics advisory group. The advisory group would be available to those employees who wish to consult it on a strictly confidential basis to advise on what may or may not be prohibited activity and also to advise the management on issues of enforcement.

There has been considerable interest and public comment regarding the activities of various "Permit Expeditors". The concern about their activities is fed by the fact that the Department's Permit Tracking System failed to identify whether a permit was being handled by an expediter or not and if so, who the expediter happened to be. This inexplicable omission has made it impossible for either management or for interested observers to compare the handling of applications involving expeditors from those of applicants who have not paid for such assistance, or for that matter differences (if any) as between various

expeditors. I am informed that by the time this report is published, the Department will have announced that this omission is being corrected. There are other serious problems with the tracking system that are discussed separately in other sections of this report.

The permit process in the City is complex and can be tedious. There is nothing odious about an applicant who chooses to use the services of an expeditor to manage that process. It becomes odious when expeditors are allowed to gain special or preferential treatment for their clients from DBI or Fire Department staff with whom they have established a relationship of some sort. Many expeditors do their jobs without demanding or receiving any special treatment, relying solely on their specialized knowledge of the process to assist their clients.

The special treatment other expeditors are said to have received or continue to receive includes such items as preferential treatment in moving applications through plan-check, the ability to physically access DBI records, the use of DBI offices and equipment etc. The receipt of special benefits from DBI/Fire Department personnel is said where it exists, to be based on the social or business relationship expeditors and such personnel have established within the wider community. In other instances it is said that unfair benefits are conferred upon some expeditors based on the knowledge by staff that these expeditors have established powerful political connections, connections that they are allegedly not reluctant to cite. In the interest of fairness, it should be said that in the interviews I conducted, I was informed that the situation is now no longer as blatant as it was said to have been some time ago, even if it has by no means ended.

Many of the remedies discussed, including some proposed legislation has centered on the expeditors. I believe that is the wrong place to look for a solution. The ability to stop the excesses lies within the control of DBI/Fire and its management. The expeditors cannot be blamed for using every connection they have to achieve advantages for their clients – it is what they are paid to do. However, the BIC and Fire Commissions and Departmental personnel involved can be blamed for allowing them to continue in their ways. The stories are so widespread that the Commissions and Departmental management cannot possibly be unaware of them. An unambiguous, and strong statement from Commissions and management that, to the extent it is still offered, preferential treatment of any kind has to come to an end would be helpful. The combination of clear policy, a clear Ethics/conduct document, reliable and informative management control reports and the willingness to impose discipline where and at whatever level necessary, would go a long way to eliminating such unfair preferences as still exist. Ultimately, as the process of permit issuance and inspection improves and becomes more transparent, more applicants will find it possible to negotiate the process on their own.

Focus: Productivity v. Quality Assurance



The over-riding focus of the Department in recent years has been on “customer service”, measured usually in terms of speed; that is the rapidity with which permit applications are turned around and on the productivity of inspectors in the field. As far as they go, these “customer service” goals are admirable but they must fit into a context that acknowledges that we are all ultimately customers of the services that DBI is established to provide. Building safety and code enforcement are public safety and environmental issues that effect us all. The general public has a right to expect that the Department serve its direct clients expeditiously but it also has a right, in the interests of public safety, to expect that the Building, Fire and applicable Planning Code sections are scrupulously enforced. There need not be, nor is there necessarily a conflict between an expeditious response to clients and a meticulous examination of plans and of the subsequent actual construction. Reassurance is needed that the focus on speed has not been at the sacrifice of a focus on quality. There are very recent signs that management is beginning to pay more attention to quality issues. It is not clear that these initiatives are yet institutionalized, nor is it clear that they can succeed given the varying skills level of staff, the paucity of in-house procedural training, inconsistent direction and the scarcity of staff.

Quality Assurance depends first on management commitment to quality, accompanied by clear and consistent direction. Second it depends on a properly trained, fully staffed department and third on procedures put in place to verify that Departmental outputs accord with standards of professionalism and established procedures. Almost without exception, the persons I interviewed expressed a desire for more “training”. The training that seems to be desired is not so much on the technical side, where a good speakers program (both in-house and outside speakers) is in place and where in-house training on “Administrative Bulletins” (on items that become part of the code) is provided. Rather what is missing, is direction and discourse on internal procedural expectancies, direction and training on how the Department expects plan checkers and inspectors to interpret local codes which are frequently subject to various different readings, and training on how the various divisions inter-act and are inter-dependent. The issuance of “Office Policy and Procedures Bulletins” appears to be seen by management as the solution to problems rather than merely as beginnings of a solution. Absent training and discourse regarding Policy & Procedures Bulletins dealing with complex issues, it is unlikely that they will produce uniform results, if any results at all.

A competent management insists on staff meetings, involving professional staff at all levels, conducted by in-house managers or supervisors and held within, and occasionally across Divisions. Staff meetings at which Policy and Procedures Bulletins would be explained and discussed along with other matters effecting the staff's work outputs would seem essential. The pay-off for effective internal communication is ultimately a more effective and productive staff, producing higher quality outputs and importantly, producing a more consistent quality of work in an environment notoriously for inconsistency. It seems that the

need for such internal communications is higher in Permit Services than in Inspection Services where some Divisions do in fact routinely have such sessions.

The usual excuse for failing to hold staff sessions of the kind described is that “there is no time” or that “they are a waste of time”. With regard to the former, management can make the time if it chooses to and if it recognizes the ultimate pay-off in terms of work quality/productivity. The latter will be true only if management does not adequately prepare pertinent agendas for the sessions, does not ensure that the subject matter is useful and does ensure that staff sessions are designed for the benefit of the attending staff rather than as an exercise in self-justification for the management. Another potentially significant benefit of staff sessions, within and across Divisions is that – if designed to be informative and useful – they will in addition to the substantive information conveyed, produce an atmosphere of collegiality, a quality not noticeably present in the Department today.

Management has very recently established a policy requiring that at least 10% Of each Plan Check Division's approved plans (presumably including over-the-counter approvals) be retrospectively subject to a quality review by a Supervisor. This is an admirable goal. However so long as there are significant supervisorial vacancies, it is not clear that the policy can be consistently implemented within the time strictures for plan approvals, absent some shift in work assignments. Similar quality assurance requirements are appropriate in Inspection Services – perhaps in requiring “ride-arounds” by Supervisors with District Inspectors on a surprise and randomly selected sample of inspections conducted by each Division.

Another manifestation of the focus on “time of turn around” as a measure of departmental performance is the requirement that all permit applications be processed within 15 minutes of the time the applicant reaches the intake desks. It is possible that experienced plan checkers can, in 15 minutes, determine whether a permit can be issued over-the-counter, or failing that, whether the plans are of sufficient quality and complete enough to accept for further review. It is not so certain that less experienced personnel at the desk can meet that goal without some compromise on the comprehensiveness of the review. There are two possible consequences; permits may be issued over the counter when they should not be, or plans are accepted for processing which are not ready for consideration.

Allowing permit applications “in-the-door” before they are ready puts additional pressures on subsequent “inside” plan checkers who are subject to their own time constraints and productivity goals. Putting only the most experienced plan checkers into the counter rotation as “gate keepers” would help at the front end but would then make them unavailable to deal with plans already in the door. In

the long run this problem would be resolved if management were to equalize the skills level of plan checkers at a high level, as discussed earlier. It would seem that even with the present rotation system in place, the Department should insist on a higher degree of scrutiny at the counter, despite the possibility that elevated scrutiny might, on a case-by-case basis, take longer than the guideline of 15 minutes. If heightened scrutiny at the counter were to keep more unacceptable plans from getting in the door and into the process the sacrifice of a time-lined goal at the front end would likely have a positive pay-off in terms of total time expended. The Department is aware of this issue and calls the 15-minute time limit "flexible" although it is not clear how plan checkers differently interpret that term. The issue of what is "acceptable" is complicated by legal questions of whether an application can be rejected if it is "complete" but otherwise deficient on its face. It is suggested that "Completeness" is a sufficiently elastic term to allow the Department to be aggressive in interpreting it in trying to clean up the front end of its plan-check processing.

The Permit Coordination Unit was at one time billed as performing a quality assurance function. That is no longer the case – if it ever was. The function now is to coordinate the paper flow of those permit applicants who have sought parallel review of their submissions. Assuring that the paper work simultaneously reaches all the sections involved and is reassembled and checked for completeness is a valuable function. It is not clear however that the assignment of a Building Inspector and four Sr. Plan Checkers to this largely ministerial function can be justified given the need for these skills in other areas of the Department. (A Chief Housing Inspector is also assigned to this unit but the position is vacant). Differently used, the Inspectors and Plan Check classifications assigned here could well form the nucleus of a true Quality Assurance team if, after analyses it is verified that personnel in the administrative/clerical classifications could perform the distribution, re-assembly and completeness verification tasks that parallel processing requires.

#### Other Operational Issues

During the course of this project several areas of primarily operational concern were brought to my attention, either by persons whom I interviewed or who by persons who contacted me.

(a) "Pick your Plan Checker": Plan checkers are assigned to the two intake counters on a rotational basis. It is widely believed, and it is intuitively obvious that not all plan checkers have the same skills level or same level of commitment. Thus, repeat applicants can "choose" their plan checker by timing their approach to the counter. Applicants whose plans are in good order await the more competent and presumably faster personnel while those who would benefit from less scrutiny of their submission await the others. Training of the kind earlier discussed, which would be designed to bring plan checkers to a uniformly high level of skills would diminish this practice. It would also be useful

if the 10% quality assurance testing program very recently announced by management would include permits issued over-the-counter.

There are also allegations that certain applicants are able to select the particular plan checker whom they would want to review their plans even after the plans have been accepted at the counter(s). A system is in place designed to prevent this from occurring. It is not however impossible to circumvent it, if the managers in charge of making the assignments decide to do so. The incoming submissions are numbered sequentially and then assigned by managers of Major Plan Check, Residential and Commercial Plan Check to individual plan checkers in their units based on a review of the back-log of each plan checker as shown in the Permit Tracking System. The intent in making assignments is to equalize the workload and control backlogs. The name of the plan-checker and the date of the assignment is entered to the tracking system as the assignment is made. The system does not in and of itself preclude a unit manager from assigning particular submission to particular plan-checkers (or to himself for that matter) in order to provide a benefit for one or another applicant. The Permit Tracking System could however provide the Director and the Deputy Director-Plan Services with an opportunity to stop this practice if that system had been designed to produce actionable management data. The Director and Deputy can – only however by making a special request to MIS – get a sort of the data in the tracking system which would relate individual plan checkers to particular applicants. A more useful tool will emerge when the name of the applicant's agent is included in the tracking system as well. This would then allow the production of a report linking the assignment of individual plan checkers to particular applicant's agent and/or applicants. Any patterns that seem irregular would quickly be revealed. It would seem that management would demand that such reports be regularly and routinely made available to them, and in the interest of transparency to the interested public.

(b) Successive Permits: there is considerable concern regarding the issuance of "successive" permits, prospectively and retrospectively. My impression is that most successive applications for work at a single site are legitimate responses to unanticipated conditions found on-site. There may however be attempts to segment a project into smaller pieces so as to escape Planning Department review of a project which taken as a whole would be subject to such reviews. There may also be successive applications for over-the-counter permits for jobs that would, taken as a whole, not qualify for that accelerated process irrespective of Planning Dept. issues. The procedures to deal with this type of "gaming" the system are in place. Successive permit applications should come to the attention of the plan checker since the individual applications are entered into the tracking system (assuming the applicant uses the correct address each time). Procedures for referral of successive applications to Planning Department plan checkers are also in place, although the Administrative Bulletins dealing with this issue date back to 1993 and 1994 and might need up-dating and re-training of plan checkers. In cases where the successive application(s) are not already the

result of an Inspectors "Notice of Violation", it might be useful for management to require an additional safeguard. It might for instance be useful on a case-by-case basis to require a physical inspection of the property by an inspector to verify claimed conditions, before some threshold number of successive permits could be issued for the same site.

The Department has a number of options when confronted with construction undertaken that exceeds the work shown on the permit(s) issued. If the unauthorized work can be made to conform to the Building and/or Planning Code, the contractor/sponsor is required to apply for retroactive permits and is required to pay a penalty at the time. If the construction cannot be made code compliant, DBI can order the work to be torn down. There are well established processes to handle the various permutations found in the field. There is however a question as to whether the penalty fee structure is a sufficient financial disincentive to offset the benefits (which may include property tax benefits in the case of "new" v. "remodeled" construction) accruing to the contractor/sponsor who is trying to evade the law. The penalty schedule should be reviewed. The Department might also undertake to bring repeat violators to the attention of the State Contractors License Board with a view towards disciplinary action at that level.

(c) Estimated v. Actual Construction Costs: A problem effecting the revenues of the Department (and of other Departments that assess fees based on construction cost) was called to my attention. There are questions as to the relationship of the estimated cost of a project as submitted by the applicant (on which the initial fee is based) and the actual construction cost. There are procedures in place to recognize wide disparities between applicant-estimated costs and likely construction costs at the time of intake, in that plan checkers have construction cost indexes that they are supposed to reference at the time of acceptance. A second screen is provided by field inspectors who are instructed not to issue completion notices until their estimates of the cost of construction is reasonably equivalent to the basis of the fee paid. In this instance also, procedures are in place and compliance depends on the vigilance or inclinations of plan checkers and/or inspectors. A functioning quality control program as discussed earlier, could bring any discrepancies between policy and execution to light.

(d) ADA/Title 24 Requirements: DBI's Plan Checkers and Inspectors are responsible for assuring that new construction conforms to ADA requirements as well as responding to complaints about accessibility issues. An ICC certification program on Disability Access is available to Plan Checkers and Inspectors, however not all Building Inspectors are certified as Disability Access Inspectors. While such certification may be desirable as a start, the national (ANSI) standards do not deal with California's Title 24 access requirements that I am informed, are more stringent than the national standard. Aside from the hurt to the community which failure to enforce ADA access/exiting requirements entails,



there is a cost in contentiousness and ultimately in defending against legal challenges. The Department (to say nothing of the effected population) would be well served by assuring that plan checkers and inspectors have the basic ICC Disability Certification plus the necessary training and time to properly enforce California's Title 24.

(e) Major Alterations/Demolitions: I was informed that there are instances in which permitted "major alterations" resulted in the construction of virtually entirely new buildings. This is in part a problem of sequential permitting as earlier discussed, and is related to definitional problems of what exactly a "major" alteration might entail and further to issues with the Illegal Demolition Ordinance. The latter is not a new problem and it is not solely or even primarily within DBI's sole ability or responsibility to craft a solution to long-standing procedural problems with the Ordinance. This is briefly discussed in the section on "Interactions with the Planning Department" later in this report.

(f) Inspection Division Assignments: Scheduling of Building Inspectors is partially centralized. Requests for inspections are supposed to be received at the Central Office and Building Inspectors to be scheduled there. The schedule is constructed so as to allow sufficient "free", flexible time for Building Inspectors who may need to compensate for inspections which take longer than anticipated and to provide for the ability of the Building Inspector to respond to unforeseen requirements in her/his district. There is no centralized scheduling system for the other Inspection Divisions (including Fire). Applicants are supposed to schedule their inspections by calling during the limited time the Inspectors can spend in the office or by otherwise tracking them down. While this method "works" on a practical level in that the inspections ultimately occur, it is cumbersome and necessarily frustrates the contractor/applicant. Other jurisdictions allow for inspection scheduling on-line and, while the Department is a very long way away from that, it would seem that some systems improvements should be being pursued. It has also been claimed that inspectors may favor certain developers/contractors within their districts by being more readily responsive to them than to less favored members of that community. There are no records that are routinely created that might allow management to disprove such allegations or to correct them if they were to be true. The only way to currently approach this problem would be by a very tedious manual comparison of individual inspector's time-roll records against those records (not centrally maintained) of when a request for an inspection was made. This is another example where suspicion and rumor could easily be dispelled if relatively simple management information systems were installed. Management reports showing - for all inspections - the date/time of actual inspection as against the date the request was received could then routinely be made available to the Commission, to management and to the public.

(g) Complaints Systems: There is no centralized complaints system that can readily be used as an effective management tool. Curiously, two complaint

systems are maintained, one for complaints regarding Permit Services and one for complaints regarding Inspections Services. Complaints received at the Director's office (or Deputy Director, Permit Services) regarding Permit Services are logged into a complaints log maintained there. Complaints received at that level regarding inspections, are recorded on a paper form, which is then sent to Inspection Services where it joins the uncertain fate of complaints received directly by Inspection Services or complaints made to individual inspectors. Unfortunately, both complaint systems are based on the address of the property with no cross-references to the name of the individual against whom the complaint is lodged. Thus, neither the Director nor the Deputies responsible for the two services can readily determine whether there are patterns of complaints against particular employees. At least for Permit Services, it is possible to request a data sort by employee's name from MIS, however only as a special request. It would appear that reports linking complaints to individuals rather than to addresses only should be routinely produced for the management of both systems. Both systems should ultimately be combined, automated and reside at the Directors level.

#### Personnel Policies

There are a significant number of vacancies in the leadership ranks of the Department. If the March 2004 Organizational Table is correct, then three (of five authorized) #6334 Chief Building Inspector positions are being held vacant for some reason. There is a vacant #6333 Senior Building Inspector (of seven authorized) and the lone authorized #6274 Chief Housing Inspector is also vacant. Moreover, it seems that these positions have been vacant for a considerable length of time – in some cases for several years.

A large number of employees have entered the Department by means other than through the traditional Civil Service lists process. The absence of lists for many of the most prevalent classes of employees as well as for senior positions makes "off-list" appointments inevitable. Maintaining current lists for multiple technical positions is difficult but possible given sufficient management engagement with the HRD process and with effected employee organizations. Also, DBI has a thoroughly experienced Personnel Officer to assist the process.

Yet, the lists for #6331 Building Inspectors, the most used classification in the Department was allowed to lapse in 2002. The list for #6270 Housing Inspectors, the second most used classification was allowed to lapse in 2001. The fourth most used class, # 6242 Plumbing Inspector list expired earlier this year. In none of these instances is an exam scheduled as of this writing. An exam for the third most used class; #6248 Electrical Inspectors is under protest and there is no list.

The situation for "Senior" positions is, if anything worse. There is no list and no scheduled examination for Sr. Plumbing Inspector, Sr. Electrical Inspector, Sr. Plan Checkers, Sr. Housing Inspectors, Sr. Building Inspector or Chief Building

Inspector. One of these lists was allowed to expire in 2004, other expirations go back for years, one to 1998.

In the case of DBI where there is a widespread belief that appointments and promotions are influenced by outside and/or political pressures, it would seem apparent that the existence of current lists would provide protection from such claims, whether they be true or not. The absence of current lists is also unfair to present employees who are prevented from competing straightforwardly for promotional positions once these become (or in this case are) vacant. The confidence that the appointment and promotion process is fair would be further enhanced by observance of the "rule-of-three" rather than the "rule of the list" for entry or promotional appointments once lists become available.

### **Interactions: Fire Department**

From the perspective of a developer or builder, the process of permitting and subsequent inspection begins with Planning and ends with DBI. The fact that there is an intervening, separate process of plan check and inspection, which is solely the responsibility of the Fire Department, is irrelevant from the customers' point of view. Thus, no matter how efficient and effective DBI's operations may become, the totality of the customer's experience depends upon the Fire Department's plan checkers and construction inspectors working at an equivalent level with DBI's (and vice-versa) and on a seamless work and paperwork flow between the two separate agencies.

The Fire Department's plan checkers are housed at DBI offices on Mission Street and report to a Fire Department Captain. That Captain reports to the Fire Marshall, who is located at Fire Department Headquarters. The Fire Inspectors are managed by a Captain who similarly reports to the Fire Marshall, however the Inspectors are located at Fire Department Headquarters. In terms of accountability for the full spectrum of the plan check and inspection process this is a far from ideal arrangement. Yet, history and tradition make it highly unlikely that any changes in organizational structure that would centralize accountability will be feasible. That being the case, it takes attentive management at both DBI and the Fire Department to make the process as seamless as possible to the client anxious to get a project started and completed to final occupancy. A complicating factor is that Fire plan check and construction inspection activities may not be at the top of the agenda for Fire Marshalls who most often, as now, come from the ranks of Fire Suppression rather than Fire Prevention.

Fire Department plan checkers are supposed to come off a Civil Service list. There has been no test for the position for some eight years. Typically, Fire Department plan checkers will transfer in from a Fire station or from some other fire suppression assignment. No certification is initially required to become a Fire Department plan checker. They are responsible for their own CCI certification, which they ordinarily achieve through in-house training provided by DBI. Some plan checkers are not uniformed personnel, the residue of a long ago effort to

"civilianize" certain functions of the Fire Department. The non-uniformed personnel have over time reached rough pay parity with the uniformed plan checkers but there is still some tension reported between the groups.

Fire Department plan checkers believe they are under-staffed. While there is some DBI work-ordered funding, it is my understanding that the preponderance of the budget for Fire plan-check and inspection services is General Fund supported, even though the Fire Departments fee structure raises more in revenue than is returned in General Fund support. Given the condition of the General Fund there is scant hope for staffing increases in either plan check or inspection or of heightened infrastructure support unless this unit were allowed to maintain, for its own internal investments, more of the funds it brings in through the services it renders.

It is also true that even if funds were made available for increases in plan check staff, there would be no immediate improvement in turn-around time since it takes about a year to get new assignees ready to apply the complex Fire Code to a set of drawings. This could be mitigated somewhat if the Fire Department were to establish some work-related criteria for firefighters transferring into Plan-check.

There is no formal quality assurance program for either Fire Department Plan-Check or Inspection. A program similar to what is discussed for DBI; retrospective quality assurance plan checks of a percentage of plans approved (DBI's newly established program has a 10% goal) and randomly selected, surprise "ride around" with Fire Inspectors by the supervisors in Inspection Services should be required. It is not clear that the present level of filled positions would allow for the diversion of time from actual plan check/inspections to quality assurance without impacting processing time. As with DBI, it is suggested that quality assurance should be a high priority – alongside with productivity - for management, up to and including the Fire Marshall and Fire Chief.

There is no formal interaction between Fire Department and DBI plan checkers or supervisors. What interaction there is depends on the initiative of the individuals involved. Should DBI ever institute regular, well-managed staff meetings, particularly in Permit Services, it would be useful to have the Fire Dept. plan checkers included when staff meeting agendas pertain to their work and their work environment.

A serious issue is the fact that the Fire Department's plan-check process is not a part of DBI's on-line Permit Tracking System. What tracking system there is in the Fire Department's area is manual. In the course of one interview, I was told that there were funds allocated to a computerized tracking system within the 911 Project financing of some years ago. While, as CAO I was responsible for the financing and the initial phases of system design and 911 Center construction, I cannot recall that detail. Whether these funds are still available, or whether there

is a continuing income stream from 911 surcharges that might be used for the tracking system is unknown to me. It should at any rate be fairly easy to write and install a simple PC based tracking system for Fire plan-check and inspection services that links to DBI's system. In future years, as DBI's core system is further developed this small system could be subsumed or abandoned. It would in the interim have served a useful function.

Fire Inspectors who inspect new construction for Fire code adherence are an autonomous group within the Fire Marshall's jurisdiction. They are certified through the California Fire Chiefs Association if the Fire Department makes funds available for that purpose. Such interaction as there is between the Captain in charge of Plan Check and the Captain in charge of Inspection is episodic and informal. This is regrettable since issues of consistency between Fire Plan Checkers and Fire Inspectors are prevalent and are likely to have serious consequences. This can be so because the Fire Inspection typically comes fairly late in the construction process and if the issue is "exiting requirements" (as it frequently is) fixes can be extremely expensive. Interpretation of complex, frequently ambiguous code language is more art than science yet there are ways to minimize interpretive inconsistencies. The minimization lies in some combination of management attention from the Fire Marshall and the Captains, in more and better training, improved procedures and were it possible (it is currently not) the housing of both plan-check and inspection under one roof.

I have earlier mentioned that construction inspectors, plan checkers and their respective supervisors who are employed by the Fire Department should be subject to the same ethics/conduct code as their counterparts in DBI who perform similar duties there.

### **INTERACTIONS: DEPARTMENT OF CITY PLANNING**

Permit applications received at DBI require an initial screening to determine whether there are Planning Code issues which might require further review by the Department of City Planning. This occurs at the intake counters where there are thus daily and routine interaction between DBI and DCP personnel. The human interactions are not unfortunately mirrored in the digitized world, since DBI's permit tracking system and DCP's tracking system are not linked and cannot communicate with each other. In order to provide an improved level of customer satisfaction for both agencies, there should be one unified tracking system. A system on which both the public and staff can track a project from start to end, no matter where, and in which agency (including the Fire Department) the project currently resides, is badly needed. This is further discussed in the MIS section of this report.

Certain other interactions of DBI and DCP are a continuing area of concern to the public – as they are to the management of both agencies. There are neighborhood complaints that what is ultimately built will at times vary from what complainants believe DCP had earlier approved. Where there is deliberate



evasion of the code by developers/contractors, the legal process, while cumbersome is in place and we have very recently seen an example of it playing itself out. Where there is willful disregard of what the code allows by DBI or Fire Department Plan-Checkers or Inspectors, a system of progressive discipline is in place – and must be enforced. What is infuriating to neighborhoods is that the legal remedies are retrospective and will not restore pre-existing conditions in the area.

Where a divergence between what the codes allow and what is built is due to inadvertent error, an increased emphasis on quality assurance and on education/training as discussed elsewhere in this report should diminish such instances over time. Unfortunately such errors are, like the deliberate flaunting of the law described above, not usually subject to retrospective correction.

Controversy continues to be generated by so called illegal demolitions where a “major alteration” sometimes leaves virtually nothing of the old structure standing and results in the construction of what is essentially a new building. Neighborhood activists find it particularly irritating that when this occurs there is usually little or no notice – the ordinance requires notice only if a demolition permit has been applied for. The Department is currently considering a change in policy that would provide neighborhood postings of applications where it is clear that more than a certain percentage of the existing building would have to be demolished to undertake the “major” remodel.

Enforcement of the ordinances regarding “illegal” demolition is made significantly more difficult by various problems with the ordinance itself and by differences in interpreting “major alterations”. Several attempts have been made over the years to deal with the process requirements of the legislation but all have been abortive.

City Planning officials are concerned about occasional failures on the part of DBI Inspectors to enforce special conditions imposed by DCP on project approvals. Such DCP imposed special conditions (which are sometimes environmental mitigations effective during the construction phase only) are one-of-a-kind, are not part of any code and are thus not part of what an Inspector has learned from experience or can easily reference. Documentation imposing such conditions is supposed to be attached to the back of the drawings the Inspector uses in the field. There are instances where these may get detached and other instances where the inspector simply fails to notice the special conditions required. If quality assurance efforts can show that individual inspectors persistently overlook non-code special conditions the remedies are obvious. If a systemic solution is necessary, than it might be useful for representatives of DCP and DBI to try to work out a more secure and more obvious (to the inspector) way of documenting the required special conditions on the drawings being used in the field.

## **INTERACTIONS: THE CITY ATTORNEY**

The relationship of the Commission and the City Attorneys office are not what one would hope they would be. The Commission, as a client of the City Attorney's office has had good and sufficient reason to be disappointed in the past billing practices of that office and there may be other past disagreements. The consequence of these past disputes is that no Deputy City Attorney is present at the meetings of the Commission. The attendance (and participation as necessary) of an experienced, skilled Deputy City Attorney at Commission meetings was a decided benefit to me both as a Commission President and earlier as a General Manager reporting to a Commission. It is quite probable that such would be the case for meetings of the Building Commission as well. It is not unreasonable to expect that a meeting of the City Attorney with representative Commissioners could resolve any past (or present) disputes and as a result provide the Commission with the guidance that a knowledgeable Deputy can provide if asked to do so at meetings of the Commission.

### **RECOMMENDATIONS:**

#### *The Department:*

- *The Mayor should try to undertake a consultative process with the leadership of the Commission to reach a conclusion as to whether the present management of the Department has the ability and strength to make the changes required. If no quick decision on that question can be made, it is suggested that an agreement be reached on a certain number of specific goals, with measurable outcomes and strict time-lines that the Director is to achieve as a condition of continuing in a leadership position.*
- *The Mayor should assure that the Fire Commission adopts and forwards to the Ethics Commission a Conflicts/Conduct code for Fire Department employees active in Plan Check and Inspection services that is at least the equal of the Code applicable to DBI employees performing counterpart tasks.*
- *Although it may – by the time this report is available – be too late for 2004/05, the Mayor's office should make every effort to preserve the Department's funds so that they may be invested in improved services. It is not suggested that these funds be appropriated until there is agreement that the management is stable, they should until then remain in the Department's reserves. However once allocated to support the City's general fund activities, the funds are gone and will not easily or soon be replaceable.*
- *The Mayor can be helpful to the Department at whatever time it elects to begin the process of securing lists for the various civil service job classifications where no lists currently exist. The process of securing adopted lists can be made much easier with the cooperation of HRD management.*

#### *Interactions with other Departments:*

- *Since the Fire Department and Fire Commission are (unlike DBI) directly under the control of the Mayor, the Mayor has a central role to play in*

*assuring that the Department address the issues discussed above. This includes fund and position allocations to plan-check and inspection within the Department, the installation of a basic tracking system and requiring heightened management attention to consistency issues. As noted above, the Mayor can insist that the Commission develop an ethics/conduct code for its plan checkers and inspectors that accords with the codes, which are presumably being developed for DBI personnel.*

- *If there is sufficient interest and any chance of a successful outcome, the Mayor may wish to lead an effort to update at least the procedural aspects of the "Demolition Ordinance". Such an effort would require the active participation of members of the Board of Supervisors, of DBI and DCP and representatives of various interested groups in the community.*



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June 14, 2004

TO: The Honorable Gavin Newsom, Mayor

FR: Rudy Nothenberg

RE: Department of Building Inspection Report, Part II

As indicated in my June 4, 2004 report to you, the Management Information Systems portion of the DBI review was to come to you as a separate document. It is submitted herewith. Most of the work for this portion of the report was performed by Mr. Steve Nelson and I am grateful for his assistance.

**Background**

Virtually every person interviewed for this report felt that the information systems used by DBI, while performing certain rudimentary tracking tasks, are not sufficiently user friendly nor sufficiently comprehensive. The systems are not designed to provide the Commission, the Departmental management or interested members of the public with enough information on which to base assessments on how well the Department is performing its core functions. While there is some level of communication between the systems used by DBI and the Department of City Planning, users in both agencies as well as interested members of the public believe that the systems need to be better integrated. Also, currently there is inadequate systems integration between Fire Department's plan check and inspection services and those of DBI. Ultimately linkages to other potential Departmental users such as the Tax Collector and Assessor need to be strengthened. Such longer-term improvements are not merely a matter of choosing the correct hardware/software but of structuring an inter-agency effort to assist in the design and implementation of an improved system and thereafter of providing competent in-house management for it.

**Security**

In connection with charges filed against the former manager of DBI's MIS function, the City Attorney's Office was asked to perform a review of the existing systems. One of their recommendations, implemented by DBI was to preclude any remote access to the system. It was felt that system security could have been, and perhaps had been compromised allowing unauthorized users access to, and the chance to manipulate data. There was no intimation that this had in fact occurred, rather, as a precautionary measure it was recommended that



access be limited. This inability of users to access the system remotely further diminishes the usefulness of an already limited system

*Recommendation: As rapidly as possible, and before any significant improvements or extension of functionality is considered, an independent contractor should be retained to perform a complete forensic audit of the existing system. The contract should be funded by DBI, however the consultant should report to the high-level multi-agency oversight committee recommended in a later section of this report. The task of the consultant would be to determine whether there is any evidence that the security of the present system has been compromised, or if not, whether there is a possibility that it could be compromised and then to make such security connected recommendations as the evidence would require. There are competent consultants in the field available to the City on short notice and one company "AtPac" is currently under contract to the City through the Assessor/Recorder and County Clerk. It is estimated that the cost of such an audit would be approximately \$60,000*

### **Personnel**

Some time ago, the Department of Telecommunications and Information Systems (DTIS) was asked to review the level of personnel assigned to DBI's Information Systems unit and to make recommendations on the appropriateness of the personnel. DTIS determined that the existing personnel classifications focused too much on the hardware components and not enough on the applications portions of the system. This personnel distribution is still reflected in the IT Master Plan the Department has produced. It focuses mainly on the need to upgrade the hardware used in the system and says little, if anything, about software improvements. As mentioned in the "Background" section of this report and in various sections of the June 4, 2004 report, short-term software improvements that would make the system more truly a **management** information system, as well as long-term software improvements to extend the system beyond its present limits need be made.

Permanent improvements in the MIS function will require a rationalization and stabilization of the MIS management function. The current management structure is dysfunctional, with the manager reporting both to DTIS and to DBI management. While this may have been a good stopgap measure in the face of the recent calamity, DBI should have a MIS manager who is not subject to matrix management. Furthermore, the position needs to be reclassified so that it can be filled at a level comparable to the two Deputy Directors. Upgrading the position would give the MIS function the visibility and importance that is its due, minimize the levels of management between the MIS Manager, the Director and Commission while also enhancing the likelihood of attracting outstanding candidates for the job. Once a permanent MIS manager is in place, the first order of business should be the development of a staff that is able to address not only the hardware but the overall functionality of the system.

*Recommendation: The Department should establish a proper job classification for the MIS manager at a level comparable with the Deputy Directors. The Department should then initiate a process to identify and hire a MIS manager who will report to the Director and have such interaction with the Commission as is appropriate. The interview panel for the position should include representation from DTIS, the Controller and City Attorney.*

### **Short Term Improvements to the Tracking System**

For the past several years DBI's MIS staff has focused primarily on the hardware side of the permit tracking system. An exception was the placing of some information from the tracking system in a format that allowed it to be accessed on the Internet. Until the past few months, there has not been sufficient attention paid to making the relatively simple changes that would have allowed the system to provide actionable information to management while also making the operations of the Department more transparent to an interested public.

A number of additions to the tracking system that would add to the quality of data available to management and that would provide more Internet-based information to the public can be made fairly effortlessly. These include adding fields to show for each application:

- The property owner's name.
- Name of the architect and/or agent including any expediter involved.
- The name of the inspector(s) assigned to the district or project and the date of each inspection.

Importantly, new software improvements should allow the plan-check data that is already in the system and such additional data as might be added to the system to be manipulated (sorted) in a multiplicity of ways. Reports on various "sorts" should be provided routinely to the Management and to the Commission. "Exception" reports could be created monthly to highlight permit applications, which deviate (in either direction) from norms established for the complexity of application involved. More data in the system, combined with an improved analytical capacity would allow management to better allocate resources, enhance quality assurance and review productivity. These relatively easily achieved software improvements would also enable management to respond to charges of favoritism and special treatment for certain applicants, correcting such abuses if newly developed analytical tools show abuses to exist or finally disposing of the charges if they can be shown to be baseless.

### **Long Term Systems Improvements**

Long-term systems improvements will depend on the restructuring of the management of the MIS system, on building a MIS staff that has the proper mix of hardware/software expertise (or, as determined by MIS management, the use of outside consultants) and finally on the availability of the financial resources needed. These are necessarily inter-related. Given the unfortunate recent

history of DBI's MIS efforts, City Hall decision makers and the Building Inspection Commission will be reluctant to invest any significant new funds until a management structure that instills confidence is in place. Yet, no competent management will be attracted to a position where resources necessary to foster success are not assured. A possible way to hasten the restoration of the necessary confidence might be for the Commission/Department to request the involvement of other city agencies such as DTIS, the Controller's and City Attorney's offices in the development of the management structure and of its initial long-term strategic plan.

Those long-term needs of the system that pertain only to the internal management of DBI will ultimately be defined by the Department's management and Commission. There are however other necessary improvements that have a larger constituency. While the permit tracking system has heretofore been largely seen as a department -specific application, it is also a major inter-departmental resource, and it will thus require the involvement of various other Departments to productively implement necessary improvements. An inter-departmental task force with oversight responsibility for those portions of the systems improvements that impact other agencies should be established by DBI. There is nothing to compel such a sharing of responsibilities other than the inherent good sense of doing so

Howsoever managed, it has become clear from the interviews conducted for this report that at least the following elements should be included in any long-range MIS effort:

- Further refinements in the Tracking System (in addition to the short- term fixes mentioned above) to provide additional meaningful, actionable data to managers and the Commission.
- Extension of information technology to all sections of Inspection Services to include on-line scheduling and the ability of Inspectors to access the system from their on-site locations.
- Inclusion of administrative actions such as Notices of Violations, Stop Work Orders, Directors Hearings etc. in the tracking system where these are not now included.
- Inclusion of actions of the Board of Appeals in the tracking system.
- A module, which incorporates Fire Department plan-check and Inspection into the tracking system.
- A module, which incorporates the mutually inter-dependent needs of the City Planning Department and DBI into the tracking system.
- Modules linking the system to other City agencies which need to use Building Department data such as the Assessor, Tax Collector, Records offices.

#### *Recommendations:*

- (1) *A high level Oversight Committee should be established and made responsible for reviewing all long-term aspects of improvements proposed to the tracking and other DBI systems. The Committee should in addition to DBI*

*staff include representatives from DTIS, the City Attorney and Controller's offices. The Mayor might consider appointing a knowledgeable staff member to Chair the group. The group should be responsible for letting any contract for the proposed forensics audit of the existing system and for establishing a methodology to ensure that future forensics audits of the system are performed periodically. The group should serve in an advisory capacity to the Director and Commission as a reviewer of the long-range strategic MIS plan of the Department.*

- (2) A Technical Users Group should be established. The group should be chaired by DBI's MIS manager and should include representatives from those other departments that are now users of the system or will become users of it in the future. The group would be directly responsible for developing the user needs of the extended system and thereafter remain in an advisory capacity to the DBI MIS manager during the implementation phases.*







